MSS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 8740 OF 2006

SMT. MALTI RAMA BARI & ANR. .. PETITIONERS

Vs.

THE CHIEF SECRETARY,
GOVT.OF MAHARASHTRA & ORS. .. RESPONDENTS

Mr. S. A. Sawant for petitioners

Mr. C.R. Sonawane, AGP

CORAM: SMT. RANJANA DESAI &
SMT. R. S. DALVI, JJ.

DATE: NOVEMBER 19,2007.

P.C.

. The petitioners are Advisis. In short the grievance of the petitioners is that their properties are illegally grabbed. It appears that the petitioners have addressed a representation dated 1/8/06 to respondent 2. However, the 2nd respondent has not responded to it. It is also contended that the police have not taken any action on the complaint filed by the petitioners dated 12/10/06.

2. So far as complaint addressed to the police is

concerned, an affidavit is filed by Mr. Bhimrao M. Madavi, Assistant Commissioner of Police, Dindoshi Division, Malad, (East), Mumbai, stating that the petitioners were unable to produce any document in support of their claim. It is further stated in the affidavit that after recording the statement of Mrs. Bari and others it is clear that there is no substance in the allegations made by the 1st petitioner. It is further stated that prima facie the matter appears to be of a civil nature and the dispute is pending before Sub-Divisional Officer, Bandra, Mumbai. Allegations made against the police are denied in the affidavit.

2. Mr. Sonawane, learned AGP states that, if any documents are produced by the petitioners in support of their claim and only, if a criminal offence is made out, the police will take necessary action on the complaint filed by the petitioners in accordance with law. As of today, however, no criminal offence is made out. Mr. Sonawane says that so far as the representation addressed by the petitioners to the 2nd respondent is concerned, the same shall be considered by the 2nd respondent and the decision will be communicated to the petitioners. In view of this statement, we direct

the 2nd respondent to consider the petitioners' representation dated 1/8/06 expeditiously and communicate the result thereof to the petitioner. The entire exercise should be completed by the 2nd respondent within twelve weeks from the date of receipt of this order by him.

3. Petition is disposed of in the aforestated terms.

JUDGE

JUDGE